

## COMMITTEE OF THE WHOLE

Room 104 – City Hall

August 11, 2003

4:15 P.M.

### PAGE

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1. Update on the Proposed Stormwater Utility  
(attachment)

2. Discussion of Proposed Cascade Lake Mining  
Agreement



# ROCHESTER

*Minnesota*



TO: Mayor, Council Members, and City Administration

FROM: Barb Huberty, Environmental and Regulatory Affairs Coordinator

DATE: August 8, 2003

SUBJECT: FEEDBACK SUMMARY FROM STORM WATER UTILITY OUTREACH EFFORTS

DEPARTMENT OF PUBLIC WORKS  
201 4th Street SE, Room 108  
Rochester, MN 55904-3740  
(507) 287-7800  
FAX (507) 281-6216

As you know, the City Council had authorized Rochester Public Works (RPW) to conduct a public outreach effort regarding the proposed storm water utility in order to obtain input on the proposal. It was the desire of the Council to obtain and take public input into consideration prior to making a decision about adopting an ordinance to create a utility. Below is a table summarizing those outreach efforts and the magnitude of public involvement.

Task	# of customers reached/ responded
Mailing to top non-residential Fee payers (including 5 informational fact sheets)	100 mailings with meeting invitation
Small group meetings with top Fee payers	25 customers attended
RPU customer service and marketing representatives staff training	20 staff trained
Mailing to non-residential customers	1,450 customer mailings
Mailing to residential customers	27,000 customer mailings
Chamber of Commerce Luncheon	100 attendees
Exchange Club Luncheon (Hunziker)	45 attendees
Mayor's and RPU's Fair Booth	Unknown number of visitors
Mayor's Radio Hour	No calls
Hanson's Radio Hour	Several calls
Non-residential customer open house	24 attendees
Residential open house	25 attendees
Calls handled by RPW front office staff	50 calls
Calls/e-mails/letters handled by other RPW staff	100 calls/e-mails/letters
Calls/e-mails handled by RPU staff	
StormWater web site	Unknown # visits/hits

All of these outreach efforts have resulted in further education about the proposed storm water utility and resulted in the input summarized below. The summary comments are summarized by general issue category and do not represent any order of importance.

- Understand that this approach is a consequence of the mandated, unfunded storm water permit and the loss of Local Government Aid.
- The opportunity for input (via personal meetings, public open houses, and the web site) is appreciated, even though the creation of a new Utility seems inevitable.
- The equitable impervious area approach is appreciated, particularly by the “for profit” business sector.
- The proposed opportunities in the Draft Ordinance to apply for fee corrections and structural and non-structural credits are appreciated.
- Compared to development processes elsewhere, Rochester’s comprehensive storm water management planning is reasonable and has been very beneficial from a project planning and implementation standpoint.
- This approach is not new to people who do business in other communities.
- An effective date of January 1, 2004 that facilitates their budgeting process and acknowledges their payment of 2003 property taxes that already support storm water management is appreciated.
- Too expensive; bad economy – profit margins have almost disappeared; on a fixed income; small businesses can’t afford this increase (insane, outrageous, ridiculous...)
- Property-tax exempt institutions should not be required to pay this
- Bad mailing addresses (new addresses, forwarded address expired, insufficient address)
- Wrong parcel ownership (renters not owners, not owner, parcel(s) in aggregate list is missing or wrong)
- Potential ownership costs (If I buy a certain property, what will this cost me?)
- Shared uses (shared parking lots, parking lots over buildings, buildings with multiple owners under one roof)
- Disputed amounts (incorrect impervious area, land use factor, or parcel size)
- Political issues:
  - Tax vs. Fee (prefer Tax because it’s deductible; prefer Fee because it’s more equitable; it should be a tax instead of a Fee because it provides for general public benefit instead of fee for service)
  - Loss of tax write off
  - Property owners can’t recoup costs from tenants due to language in their leases
  - General opposition
  - Who’s in charge
  - Who else has to do this
  - What if I refuse to pay
  - What if we refuse to comply with the permit
  - Who do I contact to share my opinion

- Credits (I privately manage storm water for my property; what can I do to reduce my fee)
- I've already paid for this (SWMP Area Charge or I have already paid for a storm water pond)
  - Told that that would be the only storm water fee
  - Told that other businesses who had developed prior to 1997 would have to "catch up" with a payment to support the capital cost of the infrastructure serving them to be equitable for new development and redevelopment from 1997 forward.
- Service
  - I don't have storm sewers serving my property
  - I was annexed into the City unwillingly and have a private well and septic system. My acreage is large enough to absorb the run-off from my buildings and driveway.
  - I go south for the winter
  - Will you now fix the drainage issues I have been complaining about for years
- Condos/apartments/town homes/trailer courts (why don't we just pay the residential rate; no one "owns" the common areas with impervious surfaces); some are being billed both residential and non-residential amounts; impact on tenants is significantly different from impact on homeowners; there should be a flat rate (perhaps tiered higher than for single family residences) for multi-family dwellings regardless of whether they are rental units or owned units.
- Don't understand Land Use Factor concept (an integrated equation, not a simple equation – but truer reflection of costs)
- Given the increase in storm water management problems, the City should be more judicious about not allowing filling in the floodplain
- Council should be more up-front about the cost of living increases that will result this year from the hydrant fee, the storm water fee, property tax increases, permit fees, and who knows what other increases. Would like to know the cost of all the increases that will affect me and don't like this piecemeal approach. ("You are going nuts with all your charges...what else are you going to add to keep raising your salary.")
- Will there be any accountability for how the money is spent (particular from external entities) to determine how well the money is used?
- Don't understand that the permit is mandated, not the adoption of a storm water utility to implement the permit (and pay for other storm water management activities)
- General sense that it was better when the cost to manage storm water was hidden in property taxes (the ignorance is bliss approach to life)...either because the lack of specific knowledge for the cost of the service is less painful or because it felt more like they weren't paying for it before.
- Why do we have to pay for this?
- Rochester is against new (or small) business development.
- Since tax-exempt properties will now pay, each resident will actually be paying more than \$3.75 per month, because they will also end up paying pass through

costs for their church, the government properties, and the places they do business.

- Many people did not understand that the storm water utility will also help pay for capital projects.
- Capital projects are needed to fix drainage conveyance problems on or near my property.
- Storm water ponds are creating a mosquito problem that will need additional future money to control.

Items for Council Consideration:

1. Due to the variety of ownership arrangements for town home developments, RPW is re-evaluating the approach applied to multi-family dwellings to insure equitability.
2. Flexibility for funding the Storm Water Utility can be achieved by adjusting the rate or creating a combination of funding sources.
3. A prioritization system will need to be developed to handle the expected storm water management service requests.
4. Staff will be posting the draft Credit Manual on the web in mid-August and will be seeking feedback from non-residential customers on the proposed approaches.
5. The Council may wish to consider setting a time limit for comments during the Public Hearing on 9/3. (As an example, the Metropolitan Councils sets a five-minute limit, and has their clerk give a one-minute warning.)